

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-123909-001 DT

03/08/2013

HON. DANIEL G. MARTIN

CLERK OF THE COURT

S. Quinones

Deputy

STATE OF ARIZONA

CLEVE LYNCH

HILARY L WEINBERG

v.

TYRONE DEJON AVRIETT (001)

DOB: 02/20/1972

MICHAEL L FREEMAN

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

AZ DOC - INMATE TRUST ACCOUNTS

D & C MATERIALS-CSC

DISPOSITION CLERK-CSC

RFR

SENTENCE OF IMPRISONMENT

11:09 a.m.

Courtroom SCT 7D

State's Attorney: Hilary Weinberg and Cleve Lynch

Defendant's Attorney: Michael Freeman

Defendant: Present

Court Reporter, Monica Hill-Morrisette, is present.

A record of the proceeding is also made by audio and/or videotape.

G.B., M.S., and L.S. address the Court on behalf of the victim.

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12:14 p.m. Court stands at recess.

1:16 p.m. The matter is recalled.

State's Attorney: Hilary Weinberg and Cleve Lynch
Defendant's Attorney: Michael Freeman
Defendant: Present

Court Reporter, Robin Bobbie, is present.

A record of the proceeding is also made by audio and/or videotape.

Lamonica Avriett addresses the Court on behalf of Defendant.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (as amended): Second Degree Murder
Class 1 Dangerous Felony
A.R.S. § 13-1101, 13-1104, 13-710, 13-701, 13-702, 13-704, and 13-801
Date of Offense: 04/24/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 12 flat year(s) from 03/08/2013
Presentence Incarceration Credit: 305 day(s)

Less Than Presumptive

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count 1 - \$2,173.60 to the following victim(s) in the following amounts:

Leslie Stanciel (Individual) \$2,173.60

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Restitution ledger provided; priority of payment as stated in the restitution ledger.

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with A.R.S. § 31-230.

The Court retains jurisdiction over restitution for the length of Defendant's incarceration. Defendant waives his presence at any future restitution hearings.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

LET THE RECORD REFLECT that the Court recommends that the Defendant not be placed in the same facility as George Eagle, Sr.

IT IS ORDERED filing the names of the individuals who spoke on behalf of the victim under seal, not to be opened without further order of the Court.

1:32 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. DANIEL G. MARTIN
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)